



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Smith, Jr.

Application No.: 10/701,146

Filed: 11/4/2003

Title: Cargo Oriented Aircraft

Attorney Docket No.: 50121

Art Unit:

3644

Examiner:

Tien Dinh

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR 1.111
TO OFFICE ACTION MAILED 3/18/4

Dear Sir:

Amendments

Please amend the specification, the drawings and the claims as per the attached amendment sheets.


Status of the Claims

Claims 1-11 are pending in the application and stand rejected by the first Action under Section 112, second paragraph, as indefinite for failing to distinctly point out and particularly claim the invention. Claims 1 – 6 and 8 – 11 also rejected under Section 103 as unpatentable over Sutton in view of Weaver and Rutan '800 (at least.) Applicant respectfully traverses, as per the attached amendments and remarks.

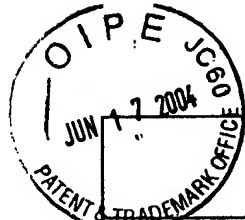
Reconsideration and further examination is respectfully requested. Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Sue Z. Shaper, Applicants' Attorney at 713 550 5710 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

6/17/4 
Date Sue Z. Shaper
Attorney/Agent for Applicant(s)
Reg. No. 31663

Sue Z. Shaper
1800 West Loop South, Suite 750
Houston, Texas 77027
Tel. 713 550 5710



AMENDMENT TRANSMITTAL LETTER
Under Small Entity Status

Attorney Docket No: 50121

Application Serial Number:
10/701,146

Filing Date:
11/4/2003

Examiner:
Tien Dinh

Art Unit:
3644

Invention: Cargo Oriented Aircraft

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS		MINUS		0	\$9	\$ 0.00
INDEP. CLAIMS		MINUS		0	\$43	\$ 0.00

____ Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of 3/18/2004 to and through _____, comprising an extension of the shortened statutory period of:

____ one month (\$55.00) ____ three months (\$475.00)
____ two months (\$210.00) ____ four months (\$740.00)

TOTAL ADDITIONAL FEE FOR THIS AMENDMENT

____ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

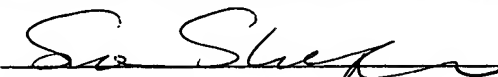
____ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

____ A check in the amount of \$_____ is attached.

____ Charge \$_____ to Deposit Account _____.

____ It is believed that no further request for extension of time or fees are due. Notwithstanding, the Commissioner is authorized to charge any additional fees incurred or credit any overage to Deposit Account No.50-1753 (50121). Please regard this as a further request for extension of time to the extent one is needed.

I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail EL977589132 US in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the
correspondence is being facsimile transmitted to the USPTO, on 6/17/04.


Sue Z. Shaper

Reg. No. 31663



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PATENT TRADEMARK OFFICE